

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|--|---|------------------------------------|
| CRISTINE D. LESKO, as | : | CIVIL ACTION NO. 1:18-CV-64 |
| Administratrix of the Estate of | : | |
| Kenneth James Lesko, | : | (Chief Judge Conner) |
| | : | |
| Plaintiff | : | |
| | : | |
| v. | : | |
| | : | |
| OLD DOMINION FREIGHT LINE, | : | |
| <i>et al.,</i> | : | |
| | : | |
| Defendants | : | |
| | : | |

ORDER

AND NOW, this 30th day of November, 2018, upon consideration of the motions (Docs. 81, 82) to dismiss the amended complaint by defendants U.S. Xpress, Inc. and Daimler Trust (collectively, the “moving defendants”), and the parties’ respective briefs in support of and opposition to said motion, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. The moving defendants’ motions (Docs. 81, 82) to dismiss are DENIED.
2. The moving defendants shall respond to plaintiff’s amended complaint (Doc. 36) in accordance with the Federal Rules of Civil Procedure.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania